

DISTRICT OF COLUMBIA STATEHOOD CONSTITUTIONAL CONVENTION

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Saturday, May 1, 1982

Washington, D.C.

The plenary session was convened at 1:05 p.m.
in Convention Hall, 10th and E Streets, N.W., Washington,
D.C., Mr. Charles I. Cassell, Chairman, presiding.

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P R O C E E D I N G S

THE CHAIRMAN: Ladies and gentlemen, we are about to take our picture. Will everybody assemble in the back of the room sitting in those three rows of chairs. We're going to have to put one more row of chairs. The photographer will stand on the table and take our picture. Now we are getting started very late. So can we do that quickly, get our picture taken, so we can get back and begin? I ask everybody to come in out of the halls now.

(Whereupon, pictures of the delegates were taken.)

THE CHAIRMAN: All right. May we come to order? We want to begin the convention today. It's after 1:00, delegates. Let us begin.

All right, call the convention to order; moment of meditation please. I call for a moment of meditation. May we have a cessation of walking and talking? Delegate Thomas, we're in the meditation period.

(Whereupon, a moment was taken for meditation.)

THE CHAIRMAN: Mr. Secretary, please call the roll.

DELEGATE COOPER: Delegate Baldwin.

(No response.)

DELEGATE COOPER: Delegate Barnes.

(No response.)

DELEGATE COOPER: Delegate Blount.

DELEGATE BLOUNT: Present.

DELEGATE COOPER: Delegate Bruning.

DELEGATE BRUNING: Here.

DELEGATE COOPER: Delegate Cassell.

DELEGATE CASSELL: Present.

DELEGATE COOPER: Delegate Clark.

DELEGATE CLARK: Here.

DELEGATE COOPER: Delegate Coates.

DELEGATE COATES: Here.

DELEGATE COOPER: Delegate Cooper; present.

Delegate Corn.

DELEGATE CORN: Here.

DELEGATE COOPER: Delegate Croft.

(No response.)

DELEGATE COOPER: Delegate Eichhorn.

DELEGATE EICHHORN: Here.

DELEGATE COOPER: Delegate Feely.

DELEGATE FEELY: Present.

DELEGATE COOPER: Delegate Freeman.

DELEGATE FREEMAN: Here.

DELEGATE COOPER: Delegate Garner.

(No response.)

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Harris.

(No response.)

DELEGATE COOPER: Delegate Holmes.

(No response.)

DELEGATE COOPER: Delegate Jackson.

DELEGATE JACKSON: Present.

DELEGATE COOPER: Delegate Johnson.

(No response.)

DELEGATE COOPER: Delegate Jones.

DELEGATE JONES: Here.

DELEGATE COOPER: Delegate Jordan.

DELEGATE JORDAN: Here.

DELEGATE COOPER: Delegate Kameny.

DELEGATE KAMENY: Here.

DELEGATE COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Here.

DELEGATE COOPER: Delegate Long.

(No response.)

DELEGATE COOPER: Delegate Love.

DELEGATE LOVE: Here.

DELEGATE COOPER: Delegate Maguire.

(No response.)

DELEGATE COOPER: Delegate Marcus.

(No response.)

DELEGATE COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: Here.

DELEGATE COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: Here.

DELEGATE COOPER: Delegate Brian Moore.

DELEGATE BRIAN MOORE: Present.

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: Here.

DELEGATE COOPER: Delegate Nihikian.

DELEGATE NIHIKIAN: Here.

DELEGATE COOPER: Delegate Nixon.

DELEGATE NIXON: Here.

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Paramore.

DELEGATE PARAMORE: Here.

DELEGATE COOPER: Delegate Robinson.

DELEGATE ROBINSON: Here.

DELEGATE COOPER: Delegate Rothschild.

(No response.)

DELEGATE COOPER: Delegate Schrag.

DELEGATE SCHRAG: Here.

DELEGATE COOPER: Delegate Shelton.

DELEGATE SHELTON: Present.

DELEGATE COOPER: Delegate Simmons.

DELEGATE SIMMONS: Present.

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Delegate Terrell.

DELEGATE TERRELL: Here.

DELEGATE COOPER: Delegate Thomas.

DELEGATE THOMAS: Here.

DELEGATE COOPER: Delegate Warren.

(No response.)

DELEGATE COOPER: Mr. President, I can't hear.

THE CHAIRMAN: All right, delegates, the roll is being called. There is so much noise that the Secretary cannot hear the responses. May we now come to order, allow the roll to be called and then let us begin. We're beginning more than an hour late. The picture took some time. So I call the convention to order and please let's have some

quiet so we can hear the responses.

DELEGATE COOPER: Delegate Baldwin.

DELEGATE BALDWIN: Here.

DELEGATE COOPER: Delegate Barnes.

(No response.)

DELEGATE COOPER: Delegate Croft.

DELEGATE CROFT: Here.

DELEGATE COOPER: Delegate Garner.

DELEGATE GARNER: Here.

DELEGATE COOPER: Delegate Graham.

DELEGATE GRAHAM: Here.

DELEGATE COOPER: Delegate Harris.

(No response.)

DELEGATE COOPER: Delegate Johnson.

DELEGATE JOHNSON: Present.

DELEGATE COOPER: Delegate Long.

(No response.)

DELEGATE COOPER: Delegate Maguire.

(No response.)

DELEGATE COOPER: Delegate Marcus.

(No response.)

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Rothschild.

(No response.)

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Mr. President, 36 delegates present.

THE CHAIRMAN: There being 36 delegates present, the convention is now in order.

Okay, Mr. Baldwin.

DELEGATE BALDWIN: Mr. President, fellow delegates, I rise to give notice that at the next meeting I will move to rescind Section 3.10 of the Judiciary article adopted on 4/29/82. Implicit in this notice is the dissent of any other section that, while adopted and resolved, solves Section 3.10.

THE CHAIRMAN: Okay. Would you care to read the section from Roberts Rules of Order that applies to that so that we understand the procedure which we are following for that notice.

DELEGATE BALDWIN: Section 3.10 deals with the motion to rescind -- Section 10 deals with a motion to rescind.

In other words, you have to make a notice prior to actually presenting the motion.

THE CHAIRMAN: Okay. Delegate Baldwin has announced that at the next meeting he intends to issue a motion to rescind Section 3.10 of the Judiciary report. This is only a notice. It requires no debate; it requires no response. In order to qualify to issue that notice, it is necessary to make that announcement the meeting beforehand.

DELEGATE CORN: Point of order, Mr. President.

THE CHAIRMAN: Just hold on now. I heard you, all right. Once is enough. I recognize Delegate Corn, Delegate Graham, Delegate Feely and Delegate Jordan.

DELEGATE CORN: Mr. President, according to our rules it specifically says a motion to reconsider -- not reconsider, I'm sorry -- in order to require a second reading, an amendment shall be in order only -- and this is page 13 of the rules, Section 3.3 --

THE CHAIRMAN: Delegate Corn.

DELEGATE CORN: -- it may have been introduced in substance --

THE CHAIRMAN: Delegate Corn, when I speak to you, you must be quiet. All right? And that goes for you and that goes for me. If you are about to read a rule in

connection with amendments, that is not what is at issue. That is not what is at issue. He has indicated that he intends to make a motion to rescind at the next meeting. It's only an announcement. The rules indicate that that announcement must be made. Any response that you would have would be in order at that time, but you cannot deny a delegate an opportunity to make any motion that he wants. I would hope that we could move on. All right?

Delegate Graham.

DELEGATE GRAHAM: I have a point of information.

Delegate Baldwin, can you familiarize me a little bit more of what will happen at the motion to rescind. I don't have my Roberts Rules now.

DELEGATE BALDWIN: What could happen?

DELEGATE GRAHAM: What would be the procedure and the vote that is required to have the motion to rescind?

DELEGATE BALDWIN: The procedure would be that at the next meeting I would get up and make a motion to rescind Section 3.10.

DELEGATE GRAHAM: Correct.

DELEGATE BALDWIN: And it would be debated as a debatable motion.

DELEGATE GRAHAM: Thank you.

DELEGATE BALDWIN: And what's your other question?

DELEGATE GRAHAM: And what would be the necessary vote required?

DELEGATE BALDWIN: The majority of those people and voting.

DELEGATE GRAHAM: I would like to have a further explanation. It seems to me that our rules are explicit with respect to the kind of method and procedure required to amend any section. It would appear to me that the next step possible would be at the second reading and which would require a two-thirds' vote. And I would think that the rules are explicit, that Roberts Rules of Order would not be apropos and I would, therefore, like a ruling by the parliamentarian.

DELEGATE BALDWIN: I think the first thing is that the Chair would allow you to go on beyond notice. It says a notice -- not one word is supposed to be made. You just get up and you give a notice. The conversation that you are involved in now should come on Monday night. It's just a notice. You can't keep this notice. The rule just states that you must at a previous meeting -- and it's called a previous notice -- prior to making my motion, I must at the meeting prior to that put you on notice. This isn't debatable. You talk about this Monday night. So you aren't supposed to be

speaking at all. I'm supposed to give this notice. The Secretary is supposed to record this notice and then the orders of the day should be followed. And at this point, I call for orders of the day.

(Simultaneous discussion.)

DELEGATE GRAHAM: Mr. Chair, I call for a five-minute caucus.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: Without objection, a five-minute caucus is allowed; a five-minute recess. Thank you.

(Whereupon, a short recess was taken.)

THE CHAIRMAN: All right, delegates, the issue which I think some people are discussing is really not at hand now and one of the problems you have can be resolved by Monday.

May I ask that all people take their seats?

(Simultaneous discussion.)

THE CHAIRMAN: Ladies and gentlemen, Delegate Coates, Corn -- let me ask you if you would be seated. We have been advised that the elevators are closing down at 2:00. It's after 1:00 now. All right?

Delegates, delegates -- I'm not going to recognize you just yet, okay?

Delegates, we are now reconvened. Let me make one announcement. We have gotten past the point where the District of Columbia Government is funding the time that we remain in this building on Saturdays past two o'clock. In other words, we have exhausted that money. We are now trying to find additional funds that will allow us to stay here until five o'clock. That's three hours that somebody would have to pay for. Until such time as we do that, we are limited from 9:00 to 2:00 on Saturdays. Until we find that there can be funding to pay for those additional three hours, we must have our meetings on Saturdays from 9:00 to 2:00. One of the things the Executive Committee is doing is trying to find the money within the D.C. Government or elsewhere to allow us to meet later on. Okay.

Now the Executive Committee -- please, I really need your attention. I need everybody's attention. I want to indicate also that the elevators are closing down at two o'clock so that we are probably going to have to walk down when we leave here unless by some miracle we were finished by two o'clock which doesn't seem very likely.

Okay. The President requested a meeting today of the Executive Committee and all committee chairpersons to discuss the issue of the time remaining within the 90-day

period to complete the work of this convention. The committee came to a recommendation which will be put to the body at this time. This recommendation is given to you now for your consideration and also for your thought and we will ask that you take action on it next week -- next week at this time. Okay.

Reverend Coates. This is not for debate; this is a recommendation that we would like for you to take action on next week.

DELEGATE COATES: Thank you, Mr. Chairman, for this opportunity to share with the convention considerations which were a part of the meeting of committee chairs with the President preceding his meeting.

THE CHAIRMAN: Delegate Coates, is your button on?

DELEGATE COATES: I don't know, sir.

THE CHAIRMAN: Push it up.

DELEGATE COATES: The button is up. I can be heard, sir, thank you.

THE CHAIRMAN: Thank you.

DELEGATE COATES: I again am grateful to the chair for the opportunity to share with the convention a conclusion at which we arrived as a result of concern on the part of

committee chairs as to the meeting, that is the completion of their task by the end of 90 days, beginning on and with the first day of this convention.

We have had problems with respect to support services providing for the completion of committee work, problems with respect to the reproduction of documents; the present machine we have requires perhaps a down time of more than 30 minutes for each 30 minutes of its use. And there are other problems incidental to the simple provision of administrative support services. It's also of consideration that the work products at the very stages of their completion at this point represent widely differing stages of development. There have been some committees having access to resources outside of the convention and brought their work products to an acceptable level of development. However, other committees have not had those outside resources available to them.

So that if we look at a projected end work product of the total convention, what we are now in the position of arriving at are widely and dissimilar articles, that is not so much dissimilar with respect to the issues covered, but with respect to whether they achieve an acceptable level of competence and production.

It appears -- it did appear to the committee that

we ought not -- that is the committee chairs, that we ought not be afraid of extending the time to allow that we might produce an end product acceptable to all of us and which faithfully represents the trust vested in us by the various constituencies that elected us to this office.

The D.C. City Council has been approached on a preliminary basis. Its chairperson is disposed to consider emergency legislation, that is to guide it through the Council so that this period might be extended. The major question with respect thereto is continued funding, but his good offices also will explore the continued funding that would or might be required to extend this convention some one month, some four weeks beyond its now projected ending date.

We would hope that you would consider this over the coming week. The Executive Committee is preparing itself to lay before us a detailed plan for the maximal utilization of that extended time and that is to say that that detailed plan will concern itself with the matters that have been of difficulty to us. How do we appropriately and most beneficially use our time with respect to committee reports, to minority reports and to the incidental motions to amend or otherwise to modify which have been a part of our deliberations? They will wrestle with that question and bring to us

a detailed and binding calendar rules recommendation that will allocate the time so that those who have matters to present to us certainly have the opportunity to bring them to us but in a way that would impose some discipline on the use of that time so that all committee reports, all minority reports and all incidental motions will be tailored into a proportional allocation of their time between now and the end of the convention.

I think with the consideration of being assured that the extension will be used productively to achieve the purpose which is a part of our heart's desire and our responsibility, we ought to consider this over the next week and come prepared on next Saturday to make a decision with respect to extending this convention some four weeks.

THE CHAIRMAN: Thank you, Delegate Coates.

In that connection I'm asking the Executive Committee and all committee chairpersons will meet on Monday since there is so little time other than the plenary sessions since we are meeting every day and on Saturdays -- that the Executive Committee and all committee chairpersons meet with me again in Room 900 at 5:30 on Monday and we work from 5:30 until 7:30 and then we begin very promptly our meeting here at 7:30 and we go until we decide to complete and that is at

11:00. We have been starting rather late to begin with. We want to use that time productively. Hopefully we can develop those plans that we will lay for you next week providing a detailed schedule of activities to go on during that 30-day extension if indeed you accept that.

Delegate Jackson.

DELEGATE JACKSON: In addition to that study around that 30 days, I would like to ask this body to also take a study about those who abuse and play with the rules so that that doesn't hurt our process also. One is as bad as the other, Mr. Chairman.

THE CHAIRMAN: Yes, well as a matter of fact, we have the committee that I have appointed the time before last on decorum but I will ask them to make their report to the Executive Committee which will incorporate that and respond to the question that you have raised. Right. Okay.

Delegate Simmons, can we go on now.

DELEGATE SIMMONS: Yes, Mr. President, the conversation with the members of this --

THE CHAIRMAN: A point of order has been called. Delegate Jordan.

DELEGATE JORDAN: Mr. President, as I understand the rules, the delegate's motion to rescind was not debatable.

THE CHAIRMAN: You're not speaking to the motion or the action on the floor at this time.

DELEGATE JORDAN: But, Mr. Chairman, I had rose previously prior to the recess on a point of information. Now are you suggesting that we can't ask any information about the motion to rescind?

THE CHAIRMAN: I'm saying that is past and what you are offering is not a point of order. You can ask for information, but I hope we're past that. The time is rather limited and we have a committee report to make. Now it seems to me that nothing can be done about whatever anybody's opinion is now. I mean the brother has only indicated that he intends to take some action. What he is pointing out is it is necessary for him as he interprets the rules to announce that now. No action is taken and there is nothing we can do today which would affect that action. I would like to move on.

DELEGATE BALDWIN: I move the calendar, Mr. President.

THE CHAIRMAN: Delegate Coates.

DELEGATE COATES: It is the question of procedure, sir, and that is to require if no discussion is made regarding the notice of intent, that that constitutes any active efforts

on our part with respect thereto which might prejudice our consideration.

THE CHAIRMAN: Well, a notice is only an expression of intent. It isn't even a promise; it's an expression of intent, all right, and as he interprets to protect his right, at least to raise the issue and have it brought up.

Delegate Simmons.

DELEGATE BALDWIN: The calendar has been called upon, Mr. President.

DELEGATE SIMMONS: Thank you, Mr. President.

I would like to on behalf of the Executive Branch Powers Committee first of all introduce all of those members. To my immediate left is Delegate Robinson from Ward 5, Delegate Johnson from Ward 7, Delegate Maguire from Ward 2, Delegate Lockridge from Ward 8, Delegate Corn from Ward 3, Delegate Shelton from Ward 1, Delegate Graham from Ward 6. I am Delegate Simmons at-large, representative. Delegate Vickie Street from Ward 4 is absent.

It has been my very stimulating experience to learn, read and know about executive powers based on the information brought by the members of this committee. In the interest of time and respectfulness for what the President has indicated, the Committee being called here has suggested

that we follow the following process: One, that we share very quickly the background which was our data base for arriving at the articles, sections of the article that are before you; two, I will read it very rapidly because I do want you to be able to get out at 2:00 and I think that is possible. But we would appreciate on Monday then that we would be ready on a section by section basis to deliberate these sections.

Is that acceptable, Mr. President?

THE CHAIRMAN: Fine.

DELEGATE SIMMONS: The lectures by the experts who made the presentations in pre-convention seminars, the aggregate experience or backgrounds brought by each of the members of this committee, the extensive reading of numerous volumes of briefing papers, constitutions of all the 50 states and of the territories where such documents existed, the papers, the pamphlets and the germane literature in the field of state constitutional issues, articles produced by the National Association of State Associations, budget, governors as well as legislative, and we were fortunate enough to have the benefit of an advisory report from the Sidley and Austin law firm which served this committee pro bono throughout our deliberations. The specific bibliographical resource materials

are attached as is the chronological report that you have already received.

I would at this time read as follows: We have some preparatory Styling and Drafting changes which I will share with you immediately following the reading because I would like this to be a part of your intellectual reservoir as you consider the actions on Monday on a section-by-section basis.

"The Executive Branch, Section I. Executive Power Vested in the Governor. The supreme executive power of the state shall be vested in the Governor. The Governor shall be responsible for the faithful execution of the laws.

"Section II. Office of Lieutenant Governor. There shall be a Lieutenant Governor whose duties include serving as Governor in the event of gubernatorial absence or disability, as determined by the Supreme Court, and may exercise any executive duties delegated by the Governor, including the duty of serving in an appointed executive position.

"Section III. Other Elected Officers. There shall be an elected Secretary of State and Attorney General, whose qualifications and duties shall be prescribed by law.

"Section IV. Election and Term of Office of Governor and Lieutenant Governor. (a) The Governor and

Lieutenant Governor shall be elected at the regular election in the same year of the Presidential election by a direct vote of the people for a term of four years, beginning on the second day of January following their election.

"(b) A person who has served two consecutive terms of office as Governor or Lieutenant Governor shall be ineligible to succeed again in the same office as Governor or Lieutenant Governor for the term immediately following the second of said popular elective terms.

"(c) One vote shall be cast jointly for the candidates for Governor and Lieutenant Governor. The candidates having the highest number of votes shall be the Governor and Lieutenant Governor. If two or more sets of candidates shall have the highest and equal number of votes for Governor and Lieutenant Governor, a run off shall be held.

"Section V. Qualifications of Governor and Lieutenant Governor. The Governor and Lieutenant Governor shall be at least thirty years of age when elected, shall be citizens of the United States, and shall have resided in the State of _____ for at least five years before the day of assumption of office. The Governor and Lieutenant Governor shall hold no other public office or regular employment.

"Section VI. Powers of the Governor. (a) Administration: The Governor shall have the power to control those

aspects of administration for which the Executive is held responsible. The Governor shall appoint the heads of all principal departments, with the advice and consent of the Legislature. All other heads of administrative offices and agencies not established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for, shall be appointed by the Governor. The Governor may at any time require information, in writing or otherwise, from the officers of any administrative department, office or agency upon any subject relating to their respective offices. The Governor may remove any official appointed by the Executive.

"(b) Commander-in-Chief: The Governor shall be commander-in-chief of the armed forces of the state, and may call out such forces to execute the laws and repel invasion.

"(c) Executive Clemency: The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, except treason, and may delegate such powers, subject to such procedures as may be prescribed by law.

"(d) Legislative Powers: (1) The Governor may on extraordinary occasions convene the Legislature by proclamation, stating the purposes for which the session is convened. When so convened, the Legislature shall have no power to

legislate on any subjects other than those specified in the proclamation, except to provide for the expenses of the session and other matters incidental thereto. The Governor may convene the Legislature at some other place when the seat of government becomes dangerous from any cause. (2) The Governor shall communicate by message to the Legislature at the beginning of each session and may at other times present to the Legislature information as to the affairs of the state, and submit legislative recommendations when deemed appropriate.

"(e) Judicial Powers: The Governor shall appoint, with the advice and consent of the Legislature, those judges as provided for in the Article on the Judiciary.

"Section VII. Budget: General and Deficiency Appropriation Bills. (a) Submission: The Governor shall submit to the Legislature, at a time fixed by law, a budget for the ensuing fiscal period, setting forth in detail for all operating funds the proposed expenditures and estimated revenue of the state. Proposed expenditures from any fund shall not exceed the estimated appropriation thereto." That's a very polite anti-deficiency act. "On the same date, the Governor shall submit to the Legislature general appropriation bills to embody the proposed expenditures and any necessary bill or bills to provide new or additional revenues

to meet proposed expenditures. The amount of any surplus created or deficit incurred in any fund during the last preceding fiscal period, shall be entered as an item in the budget, and in one of the appropriation bills. The Governor may submit amendments to appropriation bills and be offered -- to be offered during legislative consideration of the budget, to meet deficiencies in current appropriations.

"(b) Veto: The Governor may disapprove any distinct item or items appropriating moneys in any appropriation bill. The part or parts approved shall become law, and the item or items disapproved shall be void unless the Governor's veto is overridden by the Legislature in accordance to the method prescribed for the passage of other bills over the Executive veto.

"(c) Reductions in Expenditures: No appropriation shall be a mandate to spend. The Governor, with the approval of the appropriating committees of the Legislature, shall reduce expenditures authorized by appropriations, whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based. Reductions in expenditures shall be made in accordance with procedures prescribed by law. The Governor may not reduce expenditures of the Legislative and

Judicial Branches, for funds constitutionally dedicated for specific purposes.

"Section VIII. Principal Departments. (a) Limitation of Number: All executive and administrative offices, agencies and instrumentalities of the Executive branch of state government and their respective functions, powers and duties, except for the office of Governor and Lieutenant Governor, and the governing bodies of institutions of higher education, provided for in this Constitution, shall be allocated by law among not more than twenty principal departments. They shall be grouped as far as practicable according to major purposes.

"(b) Reorganization: The Governor may make changes in the organization of the Executive branch or in the assignment of functions among its units, which are considered necessary for efficient administration. If such changes affect existing law, they shall be set forth in Executive Orders, which will be submitted to the legislature while it is in session and shall become effective and shall have the force of law sixty days after submission or at the close of the session, whichever is sooner, unless specifically modified or disapproved by a resolution concurred in by a majority of all the members.

"Section IX. Boards and Commission. (a) As Heads of Departments: When a board or commission is at the head of a principal department, unless elected or appointed by the Governor, with the advice and consent of the Legislature, the term of office and procedure of removal of such members, shall be prescribed by this Constitution or by law.

"(b) Terms of Office: Terms of office on any board or commission created or enlarged after the effective date of this Constitution, shall not exceed four years, except as otherwise authorized within this Constitution. The terms of office on existing boards and commissions, which are no longer than four years, shall not be further extended.

"(c) Temporary Commissions: Temporary commissions or agencies for special purposes, with a life of no more than two years, may be established by law, and need not be allocated within a principal department.

"(d) Professional Boards: A majority of the members of an appointed examining or licensing board of a profession, shall be members of that profession.

"Section X. Advice and Consent to Appointments. Appointments subject to the advice and consent of the Legislature require a majority vote of those elected and serving in the Legislature for disapproval. Such action must be taken

within sixty days of the appointment. Appointments not disapproved within this time period shall stand confirmed.

"Section XI. Vacancies. (a) The Governor may make a provisional appointment to fill a vacancy occasioned by the death, suspension, or removal of an appointed or elected officer, other than a legislative or judicial officer, unless the officer is reinstated or until the vacancy is filled in the manner prescribed by law or in this Constitution. A person whose appointment has been disapproved by the Legislature, shall not be eligible for an interim appointment to the same office.

"(b) In the event of a vacancy in the office of Representative in Congress, Representative-elect, office of the United States Senator or Senator-elect, the Governor may appoint a person who possesses the necessary qualifications to hold the office until the next regularly-scheduled general election, or the expiration of the term, whichever is sooner.

"Section XII. Compensation. The Governor, Lieutenant Governor, Secretary of State and Attorney General shall each receive the compensation provided by law in full payment for all services performed and expenses incurred during their terms of office. Such compensation shall not be changed during the term of office.

"Section XIII. Executive Residence. An Executive residence suitably furnished shall be provided at the seat of government for the use of the Governor. The Executive shall receive an allowance for its maintenance as provided by law.

"Section XIV. Succession to the Governor. (a) Governor: In case of conviction of the Governor, removal from office, resignation or death, the Lieutenant Governor, Secretary of State, Attorney General, and such other persons designated by law shall in that order, be Governor for the remainder of the Governor's term.

"(b) Governor-elect: In case of the death or disability upon -- as determined by the Supreme Court the Governor-elect, the Lieutenant Governor-elect, Secretary of State-elect, Attorney General-elect, and such other persons designated by law, shall in that order become Governor at the commencement of the Governor-elect's term.

"Section XV. Great Seal. There shall be a seal of the state which shall be called the "Great Seal of the State of _____", which shall be kept by the Lieutenant Governor and used officially by the Lieutenant Governor as directed by law."

My time says it is now 1:56. Is that right?

Then in those six minutes I would like then to share the following document with you. In Section II -- Section II states that the Lieutenant Governor may exercise any executive duties delegated by the Governor, including the duty of serving at an appointed executive position. This is intended to be an exception to the provision in Section V, that the Lieutenant Governor shall hold no other public office. Therefore, there is no inconsistency between these two sections. It should be noted that, since the Lieutenant Governor is elected, the appointment of the Lieutenant Governor to serve in an executive position is not subject to legislative disapproval under Section X. These are Style and Drafting changes, but I think if you know in advance and understand the linkages, it will save us a great deal of unnecessary discussion on something that is taken care of and has been anticipated by the committee.

Section III provides that the Secretary of State and the Attorney General shall be elected and that their duties shall be prescribed by law. This section does not set forth the year in which they are to be elected. The intention is that the election take place in the same year as Presidential election, your Governor and your Lieutenant Governor.

Section IV. Section IV provides for election of the Governor at the regular election in every other even numbered year of the Presidential election. Our intention is that the election takes place in the same year as the Presidential election.

Section VI.

DELEGATE CORN: Can you give us the language on that please?

DELEGATE SIMMONS: Yes. As a matter of fact, when I read it, I read it in because I have done it. Again, in the same year, striking every other even numbered -- if you strike it in the Styling and Drafting -- "in the same year of the Presidential election".

Section -- let's see if I have finished that -- Section IV also provides that a person who has served two consecutive terms in one Executive office may not hold that office again for the term immediately following. It is not intended, however, to bar a person who has served two terms as Lieutenant Governor from serving as Governor in the same term, following term.

DELEGATE CORN: Can you read --

DELEGATE SIMMONS: No, we will do the Style and Drafting in that committee meeting. I'm trying to expeditiously give information to people.

(Simultaneous discussion.)

DELEGATE SIMMONS: The first two sentences in Section VII(c) are not inconsistent. The second sentence explains the first, that is the appropriations passed by the legislature shall be spent unless the procedure described in the second sentence is followed.

DELEGATE CORN: Where is that?

DELEGATE SIMMONS: Section VII(c). Section XI(b) providing for the Governor to appoint representatives of Senators to fill vacancies until the next regularly scheduled general election is not intended to require the Board of Elections its election procedure in the event that a vacancy is created within a few weeks before an election is scheduled. If a vacancy is created under those circumstances, it is intended that the appointment be effective until the next general election, for which it is practicable to hold an election for the office in question. The Legislature should implement the intention of this law.

The Committee on Style and Drafting, on which I serve, will undertake to clarify the language of these sections so that they clearly express the intentions that I have herein described.

What I will do is make available a copy of this to

each of you on Monday. We did have some only for the committee but I think we have some improved duplication services and that might be possible.

Mr. President, if it is the wisdom of this body to move forward, I would be very happy to do that. However, initially, I warned this would be the modus operandi. I did not give an objection and I, therefore, would say that at this point we have completed what was initially stated.

THE CHAIRMAN: All right. Thank you very much for your reading of the article and the explanation.

As I indicated, we are not authorized to be in this building beyond two o'clock, until such time as we find additional funding. We will resume on Monday with a question and answer period prior to our leaving. The elevators are closing down shortly. The Secretary has some fast announcements to make.

DELEGATE COOPER: These are sort of directed to the committee chairs with regard to their proposals. Is Terrell here?

(No response.)

DELEGATE COOPER: With regard to Suffrage, I know you submitted a proposal and it was numbered and it got signed but it was never returned and we don't have a copy of it for

the record. We need the originals. Do you have those?

DELEGATE JOHNSON: No, not with me.

DELEGATE COOPER: Okay. Can you leave them in our box? Can we get those?

DELEGATE JOHNSON: Monday.

DELEGATE COOPER: Okay.

Finance and Tax, Reverend Coates, yours were submitted and signed also but I understand you're still -- they're still in the word processor and --

DELEGATE COATES: Yes.

DELEGATE COOPER: Okay. So we will be getting one of those soon. We will be getting a copy of it real soon?

DELEGATE COATES: Yes.

DELEGATE COOPER: Will it have to be reassigned again?

DELEGATE COATES: I think it will. And I would like to advise the Secretary before the projected date from production from word processing.

DELEGATE COOPER: Fine. To date we haven't found anything submitted from the Committee on Legislature with regard to a proposal.

DELEGATE TERRELL: As far as I know, I personally put a copy of our proposal in your box. And that was on the date when the proposal was scheduled. So for the record, it was

placed in your box and addressed to you.

THE CHAIRMAN: We're going to have the Secretary talk individually. I mean the elevators are closing down. As of this moment we have to meet next Saturday unless there is a change from 9:00 until 2:00. I think I expressed the desire of the convention that we continue meeting from 12:00 to 5:00. If additional funding is found, if the City is willing to pay for that time from 2:00 until 5:00, you will be notified, but as of now our meetings on Saturdays are only permissible from 9:00 to 2:00. We will advise you if we've been able to shift that back to 12:00 to 5:00. There is one announcement and please make that -- yes.

DELEGATE COATES: Is it not possible, sir, that we recess and reconvene in the Chambers of the D.C. City Council?

DELEGATE KAMENY: What happens to us if we just don't go?

THE CHAIRMAN: If we were to do that, we would have to get proper consent.

DELEGATE COATES: I move that we recess and reconvene this session in the chambers of the D.C. City Council in the District Building.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: Okay. Let me find out from Delegate Mason, do you think those quarters are available at this time?

DELEGATE HILDA MASON: Mr. President, I don't have anything on my calendar and I could call the guards to find out if there is anything.

THE CHAIRMAN: Would you do that?

DELEGATE HILDA MASON: Yes.

THE CHAIRMAN: Yes. While you are doing that, we will carry the motion. It has been moved and seconded that if there is availability of the City Council chambers, that we will recess for a period of half an hour and then reconvene at that point until 5:00. Any discussion on that question?

(No response.)

THE CHAIRMAN: Those in favor, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Opposed.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: Okay, the motion carries.

(Off the record.)

THE CHAIRMAN: May I have your attention? One of the things we have to consider is that we do have a court reporter and the court reporter indicates that it would take at least an hour for her to disassemble, to move her equipment across the street and to set it up again or, in the alternative, we have to arrange to use the sound -- the court reporting facilities we have over there. I'm not certain that we could get an operator. Now it is now something after 2:00 -- five minutes after two. That would leave us another hour from 3:05. As you know, it takes some time for us to move over there and set up. That would give us less than two hours to meet between say 3:00 and 5:00.

I'm going to suggest that, even though -- this is a suggestion, right -- even though the City Council Chambers may be available, that our court reporting is very important and, of course, it's very expensive. We've already paid for part of this time. It really should be continuous. My suggestion is that we forego losing an hour and then setting up again and that we reconvene here on Monday. Now I had asked before that the Executive Committee meet from 5:30 to 7:30 which would lose for us an hour-and-a-half. Let us see if the Executive Committee can meet at a time which would not lose any time for us and we would meet here at our regular

time at six o'clock on Monday. Okay. Thank you very much.

It's common consent.

(Whereupon, at 2:00 p.m., the plenary session was adjourned.)

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